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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES ALAN ANDERSON and ELIJAH
JACOB BETTS,

Defendants.

CASE NO. CR-12-0643 RS

**STIPULATION AND [PROPOSED]
ORDER CONTINUING STATUS
CONFERENCE**

STIPULATION

The parties in this matter are currently scheduled to appear before the Court for a status conference on November 13, 2012. Defense counsel is currently in trial before the Honorable Charles R. Breyer and anticipates that the trial will last through the week of November 12, 2012. Accordingly, the parties agree and stipulate that this matter should be continued one week, to November 20, 2012.

The parties further agree and stipulate that the time from November 13, 2012 through November 20, 2012 should be excluded under the Speedy Trial Act. Given defense counsel's

1 unavailability, as well as the need for defense counsel to complete its review of the discovery and
2 meet and confer with government counsel concerning motions and/or disposition, the parties agree
3 that the failure to grant a continuance would unreasonably deny the defendant continuity of
4 counsel and the reasonable time necessary for effective preparation, taking into account the
5 exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv).

6 IT IS SO STIPULATED.

7 DATED: November 2, 2012

Respectfully submitted,

8 */s/ Josh A. Cohen*

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10 Josh A. Cohen
11 Gina Moon
12 Attorneys for JAMES ANDERSON

13 */s/ Susan Cushman*

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15 Susan Cushman
16 Assistant United States Attorney

ORDER

17 Pursuant to stipulation, and for good cause shown, it is hereby ORDERED that the status
18 conference presently scheduled for November 13, 2012 shall be continued to November 20, 2012
19 at 2:30 p.m. It is further ORDERED that the time from November 13, 2012 through November
20, 2012 shall be excluded under the Speedy Trial Act. The Court finds that the ends of justice
21 served by the continuance outweigh the best interest of the public and the defendant in a speedy
22 trial. *See* 18 U.S.C. § 3161(h)(7)(A). Further, the Court finds that the failure to grant a
23 continuance would unreasonably deny the defendant continuity of counsel and the reasonable time
24 necessary for effective preparation, taking into account the exercise of due diligence. *See* 18
U.S.C. § 3161(h)(7)(B)(iv).

25 IT IS SO ORDERED.

26 DATED: 11/2/12



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28 RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE